

Appl. No. : 10/813,915  
Filed : March 31, 2004

## REMARKS

The November 14, 2006 Office Action was based upon pending Claims 1-13 and 22-29. This Amendment amends Claims 1 and 22 and cancels Claim 5 as indicated above. Thus, after entry of this Amendment, Claims 1 – 4, 6 – 13, and 22 – 29 are pending and presented for further consideration.

### Claim Rejections

The Office Action rejected Claims 1 and 2 under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2003/0216988 to Mollett, et al. ("the Mollett publication").

In addition, the Office Action rejected Claims 3, 4, 6-13 and 22-29 under 35 U.S.C. §103(a) as being unpatentable over the Mollett publication in view of U.S. Patent No. 6,578,760 to Otto ("the Otto patent").

The Office Action also objected to Claim 5 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### Allowable Subject Matter

The Office Action indicated that Claim 5 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In response, Applicant has amended independent Claim 1 to include the limitations of Claim 5. Accordingly, Applicant has cancelled Claim 5.

In addition, Applicant has amended independent Claim 22 to include the limitations of Claim 5.

Therefore, Applicant respectfully submits that both Claims 1 and 22 contain allowable subject matter. Accordingly, Applicant requests allowance of amended Claims 1 and 22.

Appl. No. : 10/813,915  
Filed : March 31, 2004

### **Rejection Of Claims 1 and 2 Under 35 U.S.C. §102(e)**

The Office Action rejected Claims 1 and 2 under 35 U.S.C. §102(e) as being anticipated by the Mollett publication.

#### **Independent Claim 1**

As explained above, Applicant has amended Claim 1 to include the limitations of Claim 5. Thus, Applicant respectfully requests allowance of Claim 1.

#### **Dependent Claim 2**

Claim 2 depends from amended Claim 1 and is believed to be patentable for the same reasons as Claim 1, and because of the additional features recited therein.

### **Rejection of Claims 3, 4, 6-13 and 22-29 under 35 U.S.C. §103(a)**

The Office Action rejected Claims 3, 4, 6-13 and 22-29 under 35 U.S.C. §103(a) as being unpatentable over the Mollett publication in view of the Otto patent.

#### **Dependent Claims 3, 4 and 6-13**

Claims 3, 4, and 6-14 depend from amended Claim 1 and are believed to be patentable for the same reasons as Claim 1, and because of the additional features recited therein.

#### **Independent Claim 22**

As explained above, Applicant has amended Claim 22 to include the limitations of Claim 5. Thus, Applicant respectfully requests allowance of Claim 1.

#### **Dependent Claims 23 – 29**

Claims 23 – 29 depend from amended Claim 1 and are believed to be patentable for the same reasons as Claim 1, and because of the additional features recited therein.

### **Conclusion**

Although amendments and cancellations have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments and cancellations are

Appl. No. : 10/813,915  
Filed : March 31, 2004

made only to expedite prosecution of the present application, and without prejudice to assertion in the future of claims on the subject matter affected thereby. Furthermore, any arguments in support of patentability and based on a portion of a claim should not be taken as founding patentability solely on the portion in question; rather, it is the combination of features or acts recited in a claim which distinguishes it over the prior art.

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain to be resolved, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved.

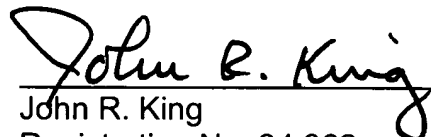
Also, please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2-13-07

By:

  
John R. King  
Registration No. 34,362  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

3418528:ad  
021206